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9   UNITED STATES DISTRICT COURT

10   EASTERN DISTRICT OF CALIFORNIA

11

12   UNITED STATES OF AMERICA   )   **CASE NO. 2:04-cr-00069-MCE**
)
            Plaintiff,   )
13   )
         v.   )   **STIPULATION AND**
14   )   **ORDER**
     LARRY WELLS,   )   **RE: SELF-SURRENDER DATE**
15   )
)   Date: September 26, 2007
16   Defendant.   )
     _____)
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19   With the Court's permission, defendant LARRY WELLS and the UNITED STATES OF

20   AMERICA, by and through their undersigned counsel, do hereby stipulate and agree to continue

21   the date for Larry Wells' self-surrender from the presently scheduled date of September 28, 2007

22   to January 19, 2008 at 2:00 p.m. This request is made for medical and humanitarian reasons.

23   The Court is already familiar with certain facts relative to the health of the defendant's

24   wife, Dianna Wells, who has esopheagal cancer. Larry Wells has been and continues to be her

25   full-time caregiver. I have reviewed certain of her medical records, and on Tuesday, September

26   25, 2007, I spoke directly with her surgical oncologist, Mark Vierra, MD, FACS.

27   Dr. Vierra informed me that Dianna Wells' battle with cancer is nearly over. In all

28   likelihood, this will be the last request for such a continuance.

1   Dr. Vierra has provided letters and medical records to this office and is available to

2 discuss Ms. Wells' medical situation at any time. He be reached at Monterey County Surgical

3 Associates, 950 Cass Street, Monterey, CA 93940, phone (831) 649-0808.

4   Accordingly, it is respectfully requested that this Court order that Larry Wells' presently

5 scheduled surrender date of September 28, 2007 be vacated, and that he be allowed to surrender

6 himself to his designated Bureau of Prisons facility before 2:00 p.m. on January 19, 2008.

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10 DATED: September 26, 2007   /s/ William J. Portanova
                                      WILLIAM J. PORTANOVA
11   Attorney for Defendant LARRY WELLS

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    DATED: September 26, 2007   /s/ Stephen R. Lapham (by WJP)
14   STEPHEN R. LAPHAM
                                      Assistant United States Attorney
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17 **IT IS SO ORDERED.**

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     Dated: September 27, 2007
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                                      MORRISON C. ENGLAND, JR.
21   **UNITED STATES DISTRICT JUDGE**

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